

Appln No. 09/699,031

Amdt date September 22, 2004

Reply to Office action of June 22, 2004

REMARKS/ARGUMENTS

Claims 1-7, 11, 13, 14, 16 and 22-25 were pending in the application. In the Office action mailed June 22, 2004, the pending claims were rejected. Applicant thanks the Examiner for attention to the application.

Claims 1, 2 and 11 are now amended, claims 3-7 are now cancelled, and claims 26-29 are new.

Claim 1 was rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Although it is not entirely clear from the Office action specifically what language in the claim forms the basis of the rejection, in view of the amendment to claim 1, which claims the invention in a slightly different manner, the rejection is now believed to be moot. Support for claim 1 as amended may be found, for example, at page 9, line 34 through page 10, line 24 of the application as filed.

Claim 1 specifies "transmitting...the location of the personal computer device to a server; receiving, by the personal computer device, information regarding the location...; and requesting, by the personal computer device, that the server store the information in a database associated with a user of the personal computer device".

Prior claim 1 was rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,021,371 ("Fultz"). The Office action indicates that Fultz at col. 6, lines 11-16 discloses "providing, by the personal computer device, the received information, including non-coordinate information concerning the tag location, to a computer system having a

Appln No. 09/699,031
Amdt date September 22, 2004
Reply to Office action of June 22, 2004

database residing in memory." Office action, pg. 5, col. 6, lines 11-15 of Fultz states "[t]he location data, coupled with the user's request allows the requested information to be easily provided to mobile unit two without the user having to give his location verbally to the base station one."

The cited portion of Fultz does not disclose or suggest "requesting, by the personal computer device, that the server store the information in a database associated with the user of the personal computer device." Accordingly, claim 1, as amended, is allowable in view of the cited portion of Fultz.

Moreover, it appears that in Fultz inquiries including location data are made by a mobile unit to a base station or auxiliary service provider. See, e.g., Fultz, Fig. 1. Responses are provided by the base station or auxiliary service provider to the mobile unit. Id. It does not appear that Fultz discloses or suggests "transmitting...the location of the personal computer device...; receiving, by their personal computer device, information regarding the location...and requesting, by the personal computer device, that the server store the information in a database associated with the user of the personal computer device."

Accordingly, claim 1 is allowable in view of Fultz. Claims 2 and 26-29, dependent on claim 1, are also therefore allowable.

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,754,938 ("Herz et al."). The Office action indicates that the standardized and individual search profile cannot be distinguished, and suggest incorporating the language from the specification in order to

Appln No. 09/699,031
Amdt date September 22, 2004
Reply to Office action of June 22, 2004

clarify the language of the recited claim. Office action, page 4. Claim 11 is now amended to specify that the multiple profiles include "a profile including information about the user relating to the user's preferences and a standard profile, the standard profile being a standardized profile made available for selection by the user so that users may avoid creating their own profile."

The Office action also indicates that a target profile interest is the profile including information about the user and the individual search profile is a standard profile for the user to use in the search. It does not appear that Herz et al. discusses multiple profiles for a user, the profile including information about the user relating to the user's preferences and the standard profile, the standard profile being a standardized profile made available for selection by the user so that users may avoid creating their own profile. In this regard, additionally it does not appear that the portions of Herz et al. cited in the Office action relate to any profiles made available for selection by the user.

Accordingly, it is believed that claim 11 is allowable in view of Herz et al. Claims 13-16, depending on claim 11, are also therefore allowable.

Claim 22 is also rejected under 35 U.S.C. § 103(a) as being unpatentable over Herz et al. The Office action states that the copied profile is the single search profile that the user uses to search for information, single search profile search a copied profile or profile that shares some of the similarity of the profile interest summary. Office action, page 10. The Office

Appln No. 09/699,031

Amdt date September 22, 2004

Reply to Office action of June 22, 2004

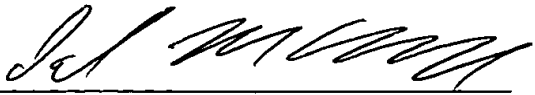
action also points to Herz et al. col. 56, lines 11-24. It appears that the cited portion of Herz et al. relates to (1) asking a user to specify search profiles that provide in key words and/or numeric attributes, (2) using copies of the profiles of target object or target cluster that the user indicates are representative of his or her interest, (3) using a standard set of search profiles copied otherwise determined from the search profile sets of people who are demographically similar to the user.

However, claim 22, with respect to the copied profile states "the copy profile being, when created, a copy of another profile associated with the user." Accordingly, while it appears that Herz et al. discusses a number of ways of creating profiles, Herz et al. does not disclose or suggest "a copy profile being, when created, a copy of another profile associated with the user."

Accordingly, claim 22 is allowable, as are claims 23-25, which depend on claim 22.

As it is believed that the application is now in condition for allowance, allowance of same is respectfully requested.

Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

By 
Daniel M. Cavanagh
Reg. No. 41,661
626/795-9900

DMC/rmw
RMW IRV1080366.1--09/22/04 4:06 PM